

**REMARKS**

Claims 1-26 are pending, of which claim 15 has been amended. Reconsideration of presently pending claims 1-26 is respectfully requested in light of the foregoing amendments and the following remarks.

**Rejections under 35 U.S.C. '102(e)**

Claims 1-7, 9-12, 15-21, and 23-26 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,542,856 A1 to Frantz (hereinafter "Frantz"). Applicant respectfully traverses the Examiner's position for the following reasons.

The PTO provides in MPEP §2131 that

*"[i]f a reference anticipates a claim, the reference must teach every element of the claim...."*

With regard to independent claims 1 and 15, Applicant submits that Frantz fails to teach every element of those claims. In particular, Frantz fails to teach or suggest sending real-time said alert automatically to said customer when said corresponding conditions are met, as recited in claims 1 and 15. The portions of Frantz cited by the Examiner as teaching this element (column 6, line 29-38, and column 7, lines 3-12) are reproduced below, with emphasis added:

Web-page 170 also includes a customer notification report, CNR, feature 182, that enables a user to view notification reports regarding equipment parameters that are being monitored in an alert or alarm status. More specifically, after a CNR has been entered into the monitoring system, it is displayed on the web-page 170. Each CNR is assigned a [sic] identification number that is displayed in a CNRID column 184, and a date of assignment, that is displayed in a date column 186. Additionally, a subject column 188 provides a brief description of the CNR.

Fig. 7 is an exemplary embodiment of an on-line modular feature web-page 220 used with a monitoring system, such as monitoring system 210, for monitoring a plurality of turbine plants. More specifically, web-page 220 is displayed after a user has selected on-line monitoring modular feature 156 (shown in FIG. 4) from home page 100 (shown in FIG. 4). Web-page 220 enables a user to view on-line real time operational data from a plant selected using home page 100. More specifically, web-page 220 includes a

graphical representation section 222 and an options section 224.

Frantz, therefore, teaches enabling a user to view a web page on which real time operational data is displayed. To use this feature, a user must take some action to display the web page on which the data is displayed; e.g., clicking on a link. This is clearly not the same as sending a customer-defined real-time alert automatically to the customer responsive to corresponding conditions, which are also defined by the customer, being met, as recited in claims 1 and 15. As indicated in the present application at paragraph 0015, an “alert” is defined to include an indication of what action a customer wants taken when an event occurs (i.e., when conditions are met).

Accordingly, it is apparent that Frantz does not anticipate claim 1 or claim 15, as it fails to teach every element thereof. Therefore, the rejection is not supported by the Frantz reference and should be withdrawn. Claims 2-7, 9-12, 16-21, and 23-26 depend from and further limit claims 1 and 15 and the rejection of those claims is therefore also not supported by the Frantz reference and should be withdrawn.

### **Rejections under 35 U.S.C. '103**

Claims 8, 13, 14, and 22 stand rejected under 35 U.S.C. §103 as being unpatentable over Frantz in view of U.S. Patent Application Pub. No. 200/0198964 to Fukuzawa (hereinafter “Fukuzawa”). In response, Applicant submits that, because claims 8, 13, 14, and 22 depend from and further limit independent claims 1 and 15, they are also deemed to be in condition for allowance for the reasons set forth above with respect to those claims.

**Conclusion**

It is clear from all of the foregoing that independent claims 1 and 15 are in condition for allowance. Claims 2-14 and 16-26 depend from and further limit independent claims 1 and 15 and are therefore also deemed to be in condition for allowance.

An early formal notice of allowance of claims 1-26 is requested.

Respectfully submitted,

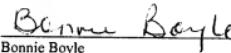
  
David M. O'Dell  
Registration No. 42,044

Dated: 7-27-06

HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 214/651-5896  
Facsimile: 214/200-0948  
Client Matter No.: 2002-0709 / 24061.489  
R-135662\_1.DOC

**Certificate of Service**

I hereby certify that this correspondence is being filed with  
the U.S. Patent and Trademark Office via EFS-Web on  
7-27, 2006.

  
Bonnie Boyle